

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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HARRY H. KUTNER, JR., *individually and on  
behalf of all similarly situated Nassau County  
residents eligible to bear arms,*

Plaintiff,

-against-

COUNTY OF NASSAU,  
BRUCE A. BLAKEMAN, *personally and  
in his official capacity as Nassau County  
Executive,* and PATRICK J. RYDER,  
*personally and in his official capacity as  
Nassau County Police Commissioner,*

Defendants.  
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**AZRACK, United States District Judge:**

For Online Publication Only

**ORDER**

22-CV-7530 (JMA) (ARL)

**FILED  
CLERK**

12:06 pm, Jan 09, 2023

**U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE**

The Court's records reflect that the complaint in this action was filed on December 12, 2022. (ECF No. 1.)

Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 90 days after the complaint is filed, the court — on motion or on its own after notice to the plaintiff — must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Accordingly, if service is not made upon Defendants by **March 13, 2023**, or if Plaintiff fails to show good cause by that date why service has not been effected, the complaint will be dismissed without prejudice.<sup>1</sup> **Plaintiff is directed to provide a copy of this Order to Defendants along with the summonses and complaint, and to file proof of service with the Court.**

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<sup>1</sup> The Court notes that, on December 28, 2022, Plaintiff filed "Affidavits of Personal Service" reflecting that a "Summons and Complaint" was served on Defendants on December 16, 2022. (See ECF No. 6.) However, to date, no summonses have been issued by the Clerk of Court in this case. Accordingly, any purported service was ineffective.

Plaintiff is required to advise the Clerk of Court of any changes of address. Failure to keep the Court informed of Plaintiff's current address may result in dismissal of the case.

**SO ORDERED.**

Dated: January 9, 2023  
Central Islip, New York

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/s/ (JMA)  
JOAN M. AZRACK  
UNITED STATES DISTRICT JUDGE